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SH 2467502

C **One (1) Compact Disc containing radio traffic.**

D **Laboratory Examination Report (gun function), dated March 13, 2019.**

E **Crime Scene Investigation Report, Observations and Examination, dated November 20, 2018.**

MISCELLANEOUS DOCUMENTS

Two (2) Signed Administrative Rights Force / Shooting Investigation Forms

United States Postal Service Certified Mail Receipts

POST training records and range qualification records of involved employee Deputy Luis Cano Robles

SH-AD-32A (8/17)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service Since 1850"

DATE: October 21, 2021
FILE NO: 018-08235-0381-055

OFFICE CORRESPONDENCE

FROM: WILLIAM E. JAEGER, COMMANDER
PROFESSIONAL STANDARDS DIVISION

TO: DUANE D. ALLEN, CAPTAIN
SOUTH LOS ANGELES STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2467502
Incident:	Hit Shooting
Incident Date:	October 27, 2018
Unit:	South Los Angeles Station
Suspect(s):	Jimenez, Alvaro, MH/050997
Involved Employees:	Deputy Luis Cano Robles, #[redacted]
EFRC Date:	October 7, 2021

The Executive Force Review Committee (EFRC) consisting of Commanders Jose J. Rios, Jason A. Skeen, and William E. Jaeger (Chair) met and reviewed the above case.

FINDINGS:

The EFRC determined the use of force was within Department policy.

The EFRC determined the tactics used were not within Department policy.

The evidence in this investigation supports the following charge:

1. That in violation of Department Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations, and Orders [as it pertains to 3-10/150.00, Tactical Incidents], on or about October 27, 2018, while on-duty and assigned to South Los

Angeles Station, Subject Luis A. Cano Robles failed to perform to the standards established for the position of a patrol trained deputy sheriff when he failed to employ sound tactical principles by not communicating with his partner (Deputy Manual Ibarra), and closing the distance on an armed suspect, as evidenced by, but not limited to the following:

a. failing to request back-up, and/or utilize additional Department resources prior to engaging in, and/or approaching, and/or contacting five (5) to eight (8) suspects; and/or,

b. failing to strategically communicate, and/or maintain observation of his partner by splitting up to contact suspects on the west side of the sidewalk; and/or,

c. failing to advise his partner, the suspect was armed with a firearm; and/or,

d. advancing, and/or closing the distance between himself and an armed suspect, and/or failing to seek, and/or take appropriate cover upon approaching the suspect, and/or taking independent action; and/or,

e. failing to immediately broadcast on a Sheriff's Communications Center access channel and advise Sheriff's Communications personnel that you and your partner were involved in a shooting.

RECOMMENDATIONS:

Based on an assessment of mitigating and aggravating factors, the EFRC Panel recommended Subject Cano Robles, #[redacted], receive a suspension with loss of pay and benefits for **two (2) days.**

Chief April Tardy concurred with the recommendations.

WEJ:DJW:djw



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

October 29, 2021

Deputy Luis A. Cano Robles, #[redacted]

Dear Deputy Cano Robles:

LETTER OF INTENT

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days.

An investigation under IAB File Number IV 2541310, conducted by the Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Department Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations, and Orders [as it pertains to 3-10/150.00, Tactical Incidents], on or about October 27, 2018, while on-duty and assigned to South Los Angeles Station, you failed to perform to the standards established for the position of a patrol trained deputy sheriff when you failed to employ sound tactical principles by not communicating with your partner (Deputy Manual Ibarra), and closing the distance on an armed suspect, as evidenced by, but not limited to the following:

   a. failing to request back-up, and/or utilize additional Department resources prior to engaging in, and/or

approaching, and/or contacting five (5) to eight (8) suspects; and/or,

b. failing to strategically communicate, and/or maintain observation of your partner by splitting up to contact suspects on the west side of the sidewalk; and/or,

c. failing to advise your partner, the suspect was armed with a firearm; and/or,

d. advancing, and/or closing the distance between you and an armed suspect, and/or failing to seek, and/or take appropriate cover upon approaching the suspect, and/or taking independent action; and/or,

e. failing to immediately broadcast on a Sheriff's Communications Center access channel and advise Sheriff's Communications personnel that you and your partner were involved in a shooting.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary, and Investigative Packet, which are incorporated herein by reference.

Prior to determining this disciplinary action, the Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this Letter of Intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Meriam Salim-Torres,

of the Internal Affairs Bureau, at [redacted] and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Monica L. Botello, Acting Captain
South Los Angeles Station



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

JACKIE LACEY • District Attorney
JOSEPH P. ESPOSITO • Chief Deputy District Attorney
VICTORIA L. ADAMS • Assistant District Attorney

JAMES GARRISON • Director

November 16, 2020

Captain Kent Wegener
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Non-Fatal Officer Involved Shooting of Alvaro Jimenez
J.S.I.D. File #18-0457
L.A.S.D. File #018-08235-0381-055

Dear Captain Wegener:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 27, 2018 non-fatal shooting of Alvaro Jimenez involving Los Angeles County Sheriff's Department Deputy Luis Cano. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

JACKIE LACEY
District Attorney

SHANNON PRESBY
Head Deputy District Attorney
Justice System Integrity Division

c: Deputy Luis Cano, [redacted]

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3888
Fax: (213) 626-5125
WEBSITE: http://da.lacounty.gov

MEMORANDUM

TO: CAPTAIN KENT WEGENER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Non-Fatal Officer Involved Shooting of Alvaro Jimenez
J.S.I.D. File #18-0457
L.A.S.D. File #018-08235-0381-055

DATE: November 16, 2020

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 27, 2018, non-fatal shooting of Alvaro Jimenez by Los Angeles County Sheriff's Department (LASD) Deputy Luis Cano. It is our conclusion Deputy Cano acted in lawful self-defense at the time he fired his weapon.

The District Attorney's Command Center was notified of this shooting on October 27, 2018, at approximately 5:00 a.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through of the scene by LASD Lieutenant Rodney Moore.

The following analysis is based on reports, recorded interviews, photographs, and sketches submitted to this office by LASD Homicide Bureau Investigators Timothy Ruggiero and Robert Gray. The voluntary statement of Deputy Cano was considered as part of this analysis.

FACTUAL ANALYSIS

On October 27, 2018, at approximately 3:30 a.m., Deputies Cano and Manuel Ibarra were both on patrol in LASD uniforms sitting in a marked black and white police vehicle parked at a corner in the City of Lennox. A woman pulled up to their patrol vehicle and informed them that there was a group of people who were drinking and being loud, about mid-block, one street over on South Burin Avenue.[1] She requested that Cano and Ibarra help to disperse the group.

Ibarra drove to the area on South Burin Avenue and parked about midblock. Ibarra noticed a group of people on both sides of the street who were drinking alcoholic beverages. Ibarra exited

[1] The location where the people were drinking and being loud is a residential area.

the vehicle and approached the group that was standing on the east sidewalk. Cano, who was sitting in the passenger seat, exited the vehicle and approached the group on the west sidewalk.

Upon exiting the vehicle, Cano immediately saw a man wearing a green jacket, later identified as Alvaro Jimenez, walk south away from the group situated on the west sidewalk. While walking away, Cano observed Jimenez remove a long rifle from the front of his pants and turn towards Cano. Cano stated, "I was thinking he's going to shoot me with that big old rifle, me and my partner, and we only have handguns." In response, Cano drew his duty weapon and fired at Jimenez three to four times. Jimenez was not struck by gunfire and ran southbound on the sidewalk, still holding the rifle.

Jimenez again turned towards Cano and pointed the rifle at him. Cano stated, "And then as he's running, he's still like turning towards me as if he's pointing like he wants, he's going to fire towards me." Cano fired additional rounds at Jimenez, striking him multiple times in both legs.[2] Jimenez dropped the rifle and fell to the ground. Cano handcuffed Jimenez and the group of people on both sides of the street became unruly.

Ibarra ran towards the location, stood over Jimenez' rifle, and commanded the crowd to stand back. Ibarra then radioed for police backup and for a rescue ambulance. Additional units and a rescue ambulance arrived. Jimenez was treated at the scene and transported to UCLA Harbor Medical Center for his non-life threatening injuries.

Jimenez' semiautomatic AK-47 rifle was located at the scene. Investigators later examined the rifle and determined it was not loaded. See Figure 1.



Figure 1. Jimenez' AK-47 recovered at the scene

[2] Cano's weapon was a 9mm Beretta semiautomatic firearm. Cano fired his duty weapon a total of 11 times during this incident.

Numerous witnesses were interviewed at the scene. Several refused to give statements. A majority stated they only heard the gunshots but did not see or hear the proceeding events. One witness, [redacted] observed the deputies arrive and Jimenez flee on foot. He observed Cano fire his weapon at Jimenez but told investigators he did not know why Cano fired his weapon.

A final witness [redacted] observed Jimenez run after the deputies arrived, heard about seven to eight gunshots, and hid behind a car. Afterwards she saw Jimenez on the floor. She never mentioned seeing Jimenez with a gun, but stated that before the deputies arrived, she spoke to Jimenez. While speaking with him, [redacted] observed a belt strap on Jimenez' shoulder, but she did not see what was attached to it.

Surveillance Footage

[redacted] provided surveillance footage from his residence near the location. [redacted] showed the investigators the video at the scene, but the video was not collected immediately following the incident and was no longer available by the time investigators tried to obtain a copy. As such, this office did not review the recording.

Per [redacted] the video quality was poor due, in part, to how dark it was outside. The video appeared to show Jimenez holding a large object, "Perhaps a rifle, at the low ready." In his interview, [redacted], stated the video captured Jimenez with a large object about one minute before the shooting occurred.

Charges filed on Jimenez

Following his arrest, Jimenez was charged in case YA099160 with two felonies. The charges included exhibiting a firearm in the presence of an officer, in violation of Penal Code § 417(c) and possession of a firearm by a felon, in violation of Penal Code § 29800(a)(1).

This case was tried by a jury. On December 20, 2019, the jury stated it was hung on both charges.

On January 31, 2020, Jimenez pled no contest to a misdemeanor disturbing the peace, in violation of Penal Code § 415(2).

LEGAL ANALYSIS

The Law

California Law permits the use of deadly force in self defense or in the defense of others if the person claiming the defense actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code § 197; CALCRIM No. 505; *See also* People

v. Randle (2005) 35 Cal.4th 987, 994 (overruled on another ground in People v. Chun (2009) 45 Cal.4th 1172, 1201); People v. Humphrey (1996) 13 Cal.4th 1073, 1082.

In protecting oneself or another, a person may use all the force that he or she believes is reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury that appears to be imminent. CALCRIM No. 3470. If the person's belief were reasonable, the danger does not need to have actually existed. Id.

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code § 835a. An officer "may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him." People v. Mehserle (2012) 206 Cal.App.4th 1125, 1146

In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." Graham v. Connor (1989) 490 U.S. 386, 396-397.

An officer has "probable cause" in this context when he knows facts which would "persuade someone of reasonable caution that the other person is going to cause serious physical harm to another." CALCRIM No. 507. When acting under Penal Code § 196, the officer may use only so much force as a reasonable person would find necessary under the circumstances. People v. Mehserle (2012) 206 Cal.App.4th 1125, 1147. An officer may only resort to the use of deadly force when the resistance to compliance or arrest "appears to the officer more likely to inflict great bodily injury on himself or those acting with him." Id. at 1146; quoting People v. Bond (1910) 13 Cal.App. 175, 189-190. The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

"Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might resorted to other means to secure his safety." People v. Collins (1961) 189 Cal.App.2d 575, 589.

Analysis

The evidence examined in this investigation shows Cano and Ibarra were flagged down by a woman complaining of a group of individuals who were loudly drinking on a residential street in the early morning hours. The deputies proceeded to investigate and saw Jimenez walk away from the group holding a rifle.

Cano observed Jimenez remove a long rifle from his pants and turn his body towards Cano. In response, Cano drew his service weapon and fired at Jimenez. Jimenez ran away from Cano, but turned and pointed the rifle at Cano. In fear for his life, Cano fired his service weapon again, this time striking Jimenez multiple times in both legs.

Under this rapidly unfolding situation, it was reasonable for Cano to believe that Jimenez posed a deadly threat to himself. As such, his decision to use deadly force in order to protect himself was reasonable. Although it was later determined that Jimenez' weapon was not loaded, this fact does not change the reasonableness of Cano's decision to use deadly force.

CONCLUSION

We find that Deputy Cano acted lawfully in self-defense when he fired at Jimenez. We are closing our file and will take no further action in this matter.

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
10/27/2018	Central Patrol Division / South Los Angeles Station	☐	☑

Incident Information

URN:	Date:	Time:
018-08235-0381-055	10/27/2018	0330 hours

City or Station: South Los Angeles

Location: [redacted] Burin Avenue, Lennox, CA 90301

Nature of Incident: Deputies attempted to contact the suspect during a drinking in public investigation. The suspect pointed the firearm at the deputies and a deputy involved shooting occurred.

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☑ Street
- Other:

Lighting (*check only one*):
- ☑ Darkness
- ☐ Daylight
- ☐ Other
- ☐ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 10-15 feet

Incident Type (*check one or more*):
- ☐ Accidental
- ☑ Armed Person
- ☑ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☐ Call
- ☑ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☑ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
11	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Barraza	Manuel		☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Rodriguez	Jason	O.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Conti	Richard	B.

PSTD Use Only

SH # 2467502

Officer Involved Shooting

URN: 018-08235-0381-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
10/27/2018	0700	10/28/2018	10/27/2018

Employee #	Last Name	First Name	M.I.
[redacted]	Mah	Calvin	NMN
[redacted]	Moore	David	L.
[redacted]	Carter	Quitman	V.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FR	ZZ	WW			NN	
E1	S1	FH	BR	9	Y	Y	GS	LE

Officer Involved Shooting
Involved Employee Information

URN: 018-08235-0381-055

Involved Employee

E 1

Employee #: [redacted]	Last Name: Cano Robles	First Name: Luis	M.I.: A
Sex: M Race: H	Rank: DSG	Unit Assignment: South Los Angeles	Work Assignment (Unit #, Module, etc.): 32A
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 7-8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 510	Weight: 205		
Range Qualification Date: [redacted]	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9 mm	# Shots: 11	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E

Employee #:	Last Name:	First Name:	M.I.:
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:

E

Employee #:	Last Name:	First Name:	M.I.:
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:

See Other Side

Officer Involved Shooting
Suspect Information

URN: 018-08235-0381-055

Suspect Information

S 1

Last Name: Jimenez | First Name: Alvaro | M.I. NMN

AKA Last Name: JimenezMagallon | First Name: Alvaro | M.I.

Sex: M | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted] [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Social Security #: | Driver's License #: Y3640070

Age: 20 | D.O.B. 05/09/1997 | Height: 602 | Weight: 175 | FBI # [redacted] | CII # [redacted]

Booking # 5463655 | Primary Charge: 29800(A)(1) P.C. | Secondary Charge: 417(C) P.C.

Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used:

Armed? ☑ | Apprehended? ☑ | Mental Illness? ☐ | Criminal History? [redacted]

Vehicle Make | Model: | Year: | Parole: No | Probation: No | Prior Felony Conviction: Yes

S

Last Name | First Name | M.I.

AKA Last Name | First Name | M.I.

Sex: | Race: | Street Address: | City | State & Zip Code:

Work Phone: | Home Phone: | Social Security #: | Driver's License #:

Age: | D.O.B. | Height: | Weight: | FBI # | CII #

Booking # | Primary Charge: | Secondary Charge:

Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used:

Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐

Vehicle Make | Model: | Year: | Parole: | Probation: | Prior Felony Conviction:

S

Last Name | First Name | M.I.

AKA Last Name | First Name | M.I.

Sex: | Race: | Street Address: | City | State & Zip Code:

Work Phone: | Home Phone: | Social Security #: | Driver's License #:

Age: | D.O.B. | Height: | Weight: | FBI # | CII #

Booking # | Primary Charge: | Secondary Charge:

Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used:

Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐

Vehicle Make | Model: | Year: | Parole: | Probation: | Prior Felony Conviction:

S

Last Name | First Name | M.I.

AKA Last Name | First Name | M.I.

Sex: | Race: | Street Address: | City | State & Zip Code:

Work Phone: | Home Phone: | Social Security #: | Driver's License #:

Age: | D.O.B. | Height: | Weight: | FBI # | CII #

Booking # | Primary Charge: | Secondary Charge:

Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used:

Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐

Vehicle Make | Model: | Year: | Parole: | Probation: | Prior Felony Conviction:

See Other Side

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-Duty Hit Shooting, Suspect Injured**
IAB FILE NUMBERS:	**SH 2467502**
URN#:	**018-08235-0381-055**
DATE/TIME:	**October 27, 2018 / 0330 Hours**
LOCATION:	[redacted] **Burin Avenue, Lennox**

SYNOPSIS

On October 27, 2018, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Quitman Carter, Sergeants Calvin Mah, and David Moore, responded to South Los Angeles Station regarding an on-duty deputy involved hit shooting. Alvaro Jimenez (hereafter referred to as Suspect Jimenez) sustained multiple gunshot wounds to both legs and pelvis after brandishing a rifle. On April 26, 2021, this case was reassigned to IAB Sergeant Armando Martinez.

Lieutenant Carter ensured that the Watch Commander, Lieutenant Richard Conti, took reasonable steps to ensure that the involved employee and witness employee did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Lieutenant Carter verified with Lieutenant Conti that the involved employee and witness employee did not collectively consult with their attorney or representative. Lieutenant Carter also verified the personnel gathered in the company of a supervisor until they provided a statement to the assigned investigators.

Sergeant Robert Gray, and Detective Timothy Ruggiero, from the Los Angeles County Sheriff's Department (LASD) Homicide Bureau arrived and assumed control of the investigation. For further information, refer to the Homicide casebook, under URN 018-08235-0381-055 **[EXHIBIT A, Homicide book]**.

DISTRICT ATTORNEY'S LETTER OF OPINION

This case was reviewed by the Los Angeles County District Attorney's Office, Justice System Integrity Division (JSID). In their letter of opinion, dated November 16, 2020,

Deputy District Attorney Shannon Presby concluded Deputy Luis Cano acted lawfully in self-defense when he fired at Suspect Alvaro Jimenez **[EXHIBIT B]**.

SUMMARY

On October 27, 2018, at approximately 0330 hours, Deputies Manuel Ibarra and Luis Cano, worked a two-person car as Unit 32A at South Los Angeles Station, early morning shift. Deputy Ibarra was the driver and Deputy Cano was the passenger.

> **IAB Note**: Deputy Luis Cano Robles is his true name, however, he refers to himself as Luis Cano. He will be referred to as Deputy Cano.

While in their marked patrol vehicle, travelling northbound on Grevillea Avenue, an unidentified female Hispanic driver in a dark colored sport utility vehicle contacted them. She informed the deputies there was a loud party on Burin Avenue. The female wished to remain anonymous due to the fact she lived in the neighborhood and did not want her name on record. The female informed Deputies Ibarra and Cano several individuals were drinking and acting disruptive. The female further stated the individuals blocked her from passing through the street. The female requested deputies to end the party and disperse the crowd.

Deputy Ibarra had responded to 30 to 70 noise complaints during his tenure. He believed this incident would turn out as previous incidents. He did not request additional resources for this complaint, because he believed his experience in handling noise complaints did not warrant them. In previous incidents, he asked the disturbing parties to disperse and most had complied. He believed he responded to this incident as any other ordinary noise complaint. As Deputy Ibarra drove toward the location of the disturbance, he and Deputy Cano developed a plan prior to contacting the individuals. Deputy Ibarra planned to contact the group of individuals on the east side of the street. Deputy Cano planned to contact the group of individuals on the west side of the street. Deputy Ibarra observed two to four individuals standing on the east sidewalk. Deputy Cano observed five to eight individuals on the west sidewalk. Deputy Ibarra stopped the patrol vehicle midblock on Burin Avenue, approximately 15 feet from the groups. The individuals were drinking alcoholic beverages in public. The deputies attempted to detain the group of individuals pending a drinking in public investigation.

Deputy Cano exited the vehicle and walked toward the group of individuals on the west sidewalk. Deputy Cano observed a male Hispanic wearing a green jacket and dark pants (later identified as Suspect Jimenez). Deputy Ibarra attempted to contact the group of individuals on the east sidewalk. After making eye contact with Deputy Cano, Suspect Jimenez began to walk south on the sidewalk, moving away from the rest of the group. As Suspect Jimenez walked away, Deputy Cano saw Suspect Jimenez grab a firearm from his waistband with both hands. Deputy Cano immediately recognized the firearm to be a long rifle. Suspect Jimenez took two to three steps south along the sidewalk as he turned his back toward Deputy Cano. Suspect Jimenez removed the

rifle half way out of his waistband, exposing the stock and the magazine of the rifle. Fearing Suspect Jimenez was going to fire at him or Deputy Ibarra, Deputy Cano fired four to six shots in rapid succession at Suspect Jimenez with his duty firearm.

Suspect Jimenez turned to his right and ran southbound on the sidewalk. Shortly thereafter, Suspect Jimenez turned toward his left. Deputy Cano noticed Suspect Jimenez removed the rifle from his waistband and held it with both hands. Suspect Jimenez' right hand was on the butt of the stock, and his left hand gripped the barrel. Suspect Jimenez turned his body toward Deputy Cano. Again, fearing Suspect Jimenez was going to fire at him, Deputy Cano fired an additional four to five shots in rapid succession at Suspect Jimenez. After the second volley of rounds, Suspect Jimenez dropped the rifle and fell to the ground. Deputy Ibarra believed he and Deputy Cano were being fired upon. Deputy Ibarra scanned the area to see where the gunshots were coming from. After the shooting, Deputy Ibarra contacted Deputy Cano regarding the shooting. Deputy Cano informed Deputy Ibarra that the suspect's rifle was on the grass. Deputies Cano and Ibarra walked up to Suspect Jimenez and the rifle. Deputy Cano walked up to Suspect Jimenez, without cover and exposed to quickly stop the threat (Suspect Jimenez). Deputy Ibarra walked up to the rifle to safeguard it.

Both groups of individuals became unruly and started to advance toward the deputies. Deputy Ibarra maintained security of the rifle and commanded the crowd to stand back, while Deputy Cano handcuffed Suspect Jimenez without incident. Deputy Ibarra utilized his handheld radio and broadcasted they were involved in a "998" and requested medical aid for Suspect Jimenez **[EXHIBIT C, radio traffic, Dispatch 12]**.

> **IAB Note**: "998" is a Los Angeles County Sheriff's Department radio code for deputy involved shooting.

Deputy Cano monitored Suspect Jimenez until medical services arrived. Assisting units arrived on scene and assisted Deputies Cano and Ibarra with management of the unruly crowd. The deputies gave commands to the crowd to stand back, which they complied. Suspect Jimenez was treated by Los Angeles County Fire, Engine 18, under the command of Captain Dicks. Suspect Jimenez was transported to UCLA Harbor General Hospital by McCormick ambulance #1501 for further treatment. Deputies secured the scene, canvassed for witnesses, and waited for Homicide Bureau investigators to arrive. Deputies Cano and Ibarra were transported to the South Los Angeles Station pending their interviews.

An "Arsenal", model SLR95, black in color, containing an empty magazine seated in the magazine well of the rifle was recovered on the grass next to where the shooting occurred **[EXHIBIT A, photos 70-75]**. Los Angeles County Sheriff's Department Scientific Services Bureau (SSB) personnel arrived and processed the scene. Forensic Identification Specialists (FIS) Jordan Swartz, #[redacted], photographed the scene **[EXHIBIT A, scene photographs]**.

INVOLVED EMPLOYEE AND WORK HISTORY

Luis Cano Robles, Deputy Sheriff, # [redacted]

Central Patrol Division
South Los Angeles Station

Date of Employment:	April 25, 2007
Date Assigned to Patrol/SLA Station:	April 6, 2014
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	
Prior Category 3 Force Incident(s):	

Equipment Worn On Person

On October 27, 2018, Deputy Cano wore a long sleeve Class "A" uniform, a bullet resistant vest, including a Sam Browne duty belt. The equipment on his duty belt included: three fully loaded Department issued ammo magazines, handheld radio, Oleoresin Capsicum (OC) spray, two handcuffs, a Beretta, 9mm pistol with a surefire tactical light attached **[EXHIBIT A, Homicide Book, page 25 and 26].**

SUSPECT INFORMATION

Alvaro Jimenez
Male, Hispanic, DOB: 05/09/1997, 6'02", 155 pounds
[redacted]
CII # [redacted], MAIN # [redacted] FBI [redacted]

A check of the Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Jimenez [redacted]. For further, refer to the copy of Suspect Jimenez' CCHRS, which was included in the Homicide Book **[EXHIBIT A, Homicide Book, pages 82-99]**

SUSPECT'S INJURIES

Suspect Jimenez was transported to Harbor UCLA Medical Center and treated by Doctors Sloane and Smith under MRN # [redacted]. Suspect Jimenez sustained multiple gunshot wounds to both legs and a gunshot wound to his pelvis **[EXHIBIT A, Homicide book, page 29].**

> **IAB Note:** Medical records were not included in the Homicide book.

DEPUTY PERSONNEL INJURIES

None.

PHYSICAL EVIDENCE

Under the direction of Homicide investigators, all physical evidence located at the scene was identified and collected by FIS Swartz, Mira Amin, and Deputy Steve Thomas, assigned to the Scientific Services Bureau. For a description of the evidence collected, and where it was collected from, see the Homicide Bureau casebook **[EXHIBIT A, Homicide Book, pages 67-79]**.

INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Investigators Detectives Robin Amador, #[redacted], and Kevin Acebedo, #[redacted] **[EXHIBIT A, Homicide Book, pages 35-38]**. The scene was also photographed by FIS Swartz **[EXHIBIT A, Digital Photographs]**. The crime scene was documented in sketches produced by FIS Amin **[EXHIBIT A, Homicide Book, page 49].**

WEAPON USED BY DEPUTY CANO

On October 27, 2018, Homicide Sergeant Gray, Detective Ruggiero and FIS Amin conducted a round count of Deputy Cano's firearm. Deputy Cano's pistol was a Beretta, model 92FS, semiautomatic pistol, serial #BER[redacted] Deputy Cano carried his handgun with one round in the chamber and 15 rounds in the magazine. The handgun contained five rounds, one round in the chamber and four rounds in the magazine, indicating Deputy Cano fired 11 rounds **[EXHIBIT A, Homicide Book, page 27].**

Date Deputy Cano last qualified: [redacted]

WEAPON POSSESSED BY SUSPECT JIMENEZ

Suspect Jimenez possessed an Arsenal, model SLR-95, rifle, serial #[redacted]. The weapon was tested for functionality and DNA. The results of the test confirmed the firearm was operable **[EXHIBIT D, Laboratory Examination Report].** The presence of Suspect Jimenez' DNA was indicated on the grip and lower hand guard. The weapon was not loaded **[EXHIBIT A, Homicide Book, pages 75-79].**

> **IAB Note:** IAB investigator checked the serial number on the suspect's rifle and it returned not registered.

PROPERTY DAMAGE

The Crime Scene Investigation Report indicated the following bullet impacts were observed to the front yard fence of [redacted] Burin Avenue **[EXHIBIT E, Crime Scene Investigation Report]**:

1. One bullet impact to the north facing side of the fifth post from the south end.

2. One bullet impact to the north facing side of the second post from the south end.

3. One bullet impact to the north facing side of the first post from the south end.

4. One bullet impact to a section of the wrought iron portion of the front yard fence.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Homicide Investigators Sergeant Gray and Detective Ruggiero. On November 9, 2018, the Homicide investigators presented their case to the Los Angeles County District Attorney's Office. Suspect Jimenez was charged in Los Angeles Superior Court under case number YA099160 for the following charges:

- 29800(A)(1) P.C. – Possession of a Firearm by a convicted felon.
- 417(C) P.C. – Exhibit a Firearm in a threatening manner in the immediate presence of a peace officer.

On January 31, 2020, Suspect Jimenez pled no-contest to 415(2) P.C. – Disturbing the peace. He was sentenced to three years of summary probation.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during hours of darkness. The scene was illuminated by an overhead streetlight. The weather was clear and cool.

RADIO TRAFFIC

Internal Affairs Bureau investigators reviewed Sheriff's Communications Center's (SCC) radio traffic, Dispatch 12, L-Tac 2, and A-Tac 2. The following are summarized excerpts from the radio traffic **[EXHIBIT C, Radio Traffic]**.

Radio Traffic Dispatch Channel 12 -

Actual Time	Audio File No.	Description
03:29:00	1	Deputy Ibarra (32A) requested emergency clearance and advised a deputy involved shooting occurred at

		[redacted] Burin Ave. Deputy Ibarra requested 902R (medical rescue) for the suspect.
03:30:22	1	Deputy Ibarra requested units to his location for crowd control.
03:30:43	1	Deputy Ibarra advised they were detaining the suspect at gunpoint. SCC advised unit 31S was enroute and 902R was responding.
03:31:52	2	Deputy Ibarra requested units to his location for crowd control.
03:32:34	2	Unit 30S advised they were responding code-3.
03:36:20	3	Deputy Ibarra advised he had sufficient units at his location.

IAB investigators obtained L-Tac 2 and A-Tac 2 radio traffic and reviewed the contents. No significant radio traffic was heard. The audio files were submitted with this case **[EXHIBIT C, Radio Traffic]**.

SURVEILLANCE VIDEO

IAB investigators contacted Witness [redacted] regarding surveillance footage depicting the suspect with a rifle prior to the shooting, but the footage was no longer available.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. IAB investigators reviewed reports authored by the involved deputies.

INVOLVED EMPLOYEE

Deputy Luis Cano

Homicide Interview

On October 27, 2018, Deputy Cano was interviewed by Homicide Investigators Sergeant Gray and Detective Ruggiero. The interview was summarized in the Homicide casebook **[EXHIBIT A, Homicide Book, pages 26-27; Homicide transcripts]**.

IAB Interview

On July 29, 2021, IAB Sergeants Martinez and Serrano interviewed Deputy Cano at the Internal Affairs Bureau office. Attorney Steven Welch attended the interview representing Deputy Cano.

On October 27, 2018, Deputy Cano and his partner, Deputy Ibarra, were assigned to patrol duties at South Los Angeles Station as unit 32A. They worked early morning shift, from [redacted] to [redacted] hours in a two-person marked police vehicle. Deputy Ibarra was the driver, and Deputy Cano was the passenger.

The deputies were travelling on Grevillea Avenue, approaching 104th Street. A female Hispanic driver, in a dark colored SUV contacted them. She informed them there was a loud party on Burin Avenue, and individuals were drinking and acting disruptive. The female further stated the individuals blocked her from passing through. She wanted the deputies to speak with the individuals at party regarding the complaint.

Deputy Ibarra drove southbound on Burin Avenue to investigate the complaint. Deputy Cano observed a group of individuals on the west sidewalk. The individuals were drinking alcoholic beverages from beer cans in public. Deputy Ibarra stopped the patrol vehicle midblock on Burin Avenue, approximately 15 feet from the group. Deputy Cano advised Deputy Ibarra he was going to contact the individuals on the west side of the street pending a drinking in public investigation. Deputy Cano opened his door and walked northbound, in an attempt to contact the group of individuals.

Deputy Cano observed a male Hispanic (Suspect Jimenez) wearing a green jacket and dark pants. After making eye contact with Deputy Cano, the suspect began to walk south on the sidewalk, walking away from rest of the group. As the suspect walked away, Deputy Cano saw the suspect began to grab a firearm from his waistband with both hands. Deputy Cano immediately recognized the firearm to be an "AK style long rifle" **[Deputy Cano's IAB transcripts, page 23]**. The suspect removed the rifle half way out of his waistband, exposing the butt of the stock and the magazine of the rifle. While still walking toward the suspect, and fearing the suspect was going to shoot at him or Deputy Ibarra, Deputy Cano fired four to six shots in rapid succession at the suspect with his duty firearm. Deputy Cano was approximately 15 feet from the suspect when he fired. The group of individuals had moved away from the suspect and were not in Deputy Cano's line of fire. Deputy Cano stated his backdrop was down the street towards businesses, and away from homes. Deputy Ibarra was on the east sidewalk as Deputy Cano fired his firearm.

The suspect turned to his right and ran southbound on the sidewalk. Shortly thereafter, Suspect Jimenez turned toward his left. While still walking toward the suspect, Deputy Cano saw the suspect had removed the rifle from his waistband and held it with both hands. The suspect's right hand was on the butt of the stock, and his left hand gripped the barrel. The suspect turned his body toward his left, halfway turned around, toward Deputy Cano. Deputy Cano feared the suspect was going to fire at him. Deputy Cano fired an additional four to five shots in rapid succession at the suspect from approximately 15 feet away. After the second volley of rounds, the suspect dropped the

rifle on the grass. The suspect fell on the ground, a few feet away from the rifle. After the shooting, Deputy Cano informed Deputy Ibarra the suspect was on the ground, and the suspect's rifle was on the grass **[Deputy Cano's IAB transcripts, page 24]**.

Deputy Cano stated both group of individuals became unruly and started to advance toward Deputy Ibarra and himself. Deputy Cano was concerned the unruly crowd would take the rifle and attack them. Deputy Ibarra maintained security of the rifle and commanded the crowd to stand back, while Deputy Cano handcuffed the suspect without further incident. Deputy Ibarra broadcasted they were involved in a deputy-involved shooting and requested medical services for the suspect.

Deputy Cano monitored and assessed the suspect by ensuring Suspect Jimenez was conscious and breathing, until medical services arrived. Deputy Cano observed blood on the ground, but did not see the suspect's injuries. Additional units arrived on scene and assisted them with management of the unruly crowd. Deputies gave commands to the crowd to stand back, which they complied. Once the scene was secured, Deputy Cano was relieved and escorted to the station to be interviewed.

EMPLOYEE WITNESS

Deputy Manuel Ibarra

Homicide Interview

On October 27, 2018, Deputy Manuel Ibarra was interviewed by Homicide Investigators Sergeant Gray and Detective Ruggiero. The interview was summarized in the Homicide casebook **[EXHIBIT A, Homicide Book, pages 27-28; Homicide transcripts]**.

IAB Interview

On July 29, 2021, IAB Sergeants Martinez and Grubb interviewed Deputy Manuel Ibarra at the Internal Affairs Bureau office. Attorney Steven Welch attended the interview representing Deputy Ibarra.

On October 27, 2018, Deputies Ibarra and Cano, were assigned to patrol duties at South Los Angeles Station as unit 32A. They worked early morning shift, from [redacted] in a two-person marked police vehicle. Deputy Ibarra was the driver, and Deputy Cano was the passenger. Deputy Ibarra stated they were travelling on Grevillea Avenue, approaching 104th Street. An unidentified female Hispanic driver contacted them. The female informed the deputies there was a loud party on Burin Avenue. The female wished to remain anonymous, due to the fact that she lived in the neighborhood and she did not want her name on record **[Deputy Ibarra's IAB transcripts, page 6]**. The female informed Deputy Ibarra there were several individuals drinking and acting disruptive. The female further stated the individuals blocked her from passing through the street. The female wanted the deputies to end the party and disperse the crowd.

Deputy Ibarra stated he had responded to 30 to 70 noise complaints during his tenure. He believed this incident would turn out as previous incidents. He did not request additional resources for this complaint, because he believed his experience in handling noise complaints did not warrant them. In previous incidents, he asked the disturbing parties to disperse and most had complied. He believed he responded to this incident as any other ordinary noise complaint **[Deputy Ibarra's IAB transcripts, pages 32-33]**. While driving toward the party, Deputies Ibarra and Cano developed a plan prior to contacting the individuals. Deputy Ibarra planned to contact the group of individuals on the driver's side of the street. Deputy Cano planned to contact the group of individuals on the west side of the street. Deputy Ibarra observed two to four individuals standing on the east sidewalk and five to eight individuals on the west sidewalk. Deputy Ibarra stopped the patrol vehicle midblock on Burin Avenue, approximately 15 feet from the groups. The individuals were drinking alcoholic beverages from beer cans in public. Deputy Ibarra' intention was to detain the group of individuals on the east side of the street, pending a drinking in public investigation.

As Deputy Ibarra exited the driver's door of the patrol vehicle, he took a few steps and heard four to six gunshots. Deputy Ibarra did not know if they were being fired upon, or if Deputy Cano was involved in a shooting. At that moment, Deputy Ibarra believed he and Deputy Cano were being fired upon. Deputy Ibarra looked at Deputy Cano, who informed him (Deputy Ibarra) there was a rifle on the ground. Deputy Ibarra walked toward Deputy Cano. Deputy Ibarra observed Deputy Cano walk southbound along the sidewalk of Burin Avenue toward a male Hispanic (the suspect). The suspect was lying face down on the sidewalk. Deputy Ibarra described the suspect as a male Hispanic wearing dark clothing. Deputy Ibarra saw the suspect had his arms underneath his body as they approached. Deputy Ibarra did not know if the suspect had any additional weapons based on the suspect's body position. Deputy Cano informed Deputy Ibarra a rifle was on the grass near the sidewalk. Deputy Ibarra stood next to the rifle to safeguard it. Deputy Ibarra observed the rifle appeared to be an "AK-47 type of rifle" **[Deputy Ibarra's IAB transcripts, page 14]**. Deputy Cano told Deputy Ibarra to take care of the rifle and manage the crowd.

Deputy Ibarra turned his body, with his back toward Deputy Cano and the suspect. Deputy Ibarra faced the crowd and ordered them to stand back. Deputy Ibarra broadcasted they had been involved in a shooting. He additionally requested medical services for the suspect, as well as additional units for crowd control. After the shooting, individuals began to exit their residences. Deputy Ibarra said the crowd grew to approximately 10 to 15 individuals. The crowd appeared to advance and surround them. Deputy Ibarra was concerned they might be ambushed or attacked by the crowd. Deputy Ibarra was concerned someone from the crowd would take the firearm **[Deputy Ibarra's IAB transcripts, page 23]**. He continued to give commands for the crowd to stand back.

Additional units arrived and assisted with the unruly crowd. Deputy Ibarra did not speak to the suspect during the incident. Once the scene was secured, Deputy Ibarra was relieved and transported to the station to be interviewed.

CIVILIAN WITNESSES

[redacted]

Homicide Interview

On October 27, 2018, Witness [redacted] was interviewed by Homicide Investigators Sergeant Gray and Detective Ruggiero. The interview was audio recorded **[Witness [redacted]' Homicide transcript]**. The following is a brief summary of the Homicide interview:

Witness [redacted] stated he had surveillance video which captured the moments prior to the shooting. Witness [redacted] indicated the surveillance video did not have the capability to capture sound. The video captured activity on the street prior to the shooting. The video contained footage of an individual carrying an unknown object near his van. Witness [redacted]' van was parked on the street where the shooting took place. Witness [redacted] was in his room when heard arguing followed by approximately nine gunshots. Witness [redacted] remained inside the house until he was contacted by deputies. Witness [redacted] stated the video could not be downloaded at that time, but he was willing to have a Sheriff's Department technician retrieve the video at a later time.

> **IAB Note**: The surveillance video was not recovered from Witness [redacted].

IAB Interview

On March 23, 2021, Witness [redacted] was interviewed by IAB Investigators Sergeants Shawn O'Donnell and Joseph Morales at the Internal Affairs Bureau office.

On October 27, 2021, Witness [redacted] was contacted by members of the Los Angeles County Sheriff's Department at his residence. Witness [redacted] resided at [redacted], which was [redacted] of where the shooting took place. Witness [redacted] advised deputies he had four surveillance cameras at his residence. Two surveillance cameras captured footage prior to the incident.

Witness [redacted] stated the video showed an unknown individual walking around his van and holding the butt stock of a rifle. The rifle was the length of a baseball bat. Shortly thereafter, there were flashes of light and he heard numerous gunshots. According to Witness [redacted], the video did not capture the shooting. At the time he was contacted by deputies, he was unable to retrieve and download the video. Homicide investigators advised Witness [redacted] they would send technicians from the Department to obtain the video at a later time. According to Witness [redacted], he was not re-contacted **[Witness [redacted]' IAB Transcript]**.

IAB investigators contacted Witness [redacted] regarding surveillance footage depicting the suspect with a rifle prior to the shooting, but the footage was no longer available.

Witness [redacted]

Homicide Interview

On October 27, 2018, Witness [redacted] was interviewed by Homicide Investigators Sergeant Gray and Detective Ruggiero. The interview was summarized in the Homicide casebook **[EXHIBIT A, Homicide Book, pages 28-29; Homicide transcripts]**. The following is a brief summary of the Homicide interview:

Witness [redacted] and a friend drove in his vehicle to the location, to visit Witness [redacted]. Upon arrival, Witness [redacted] parked his vehicle on Burin Avenue. He saw his [redacted] and several other individuals on both sides of the street. Shortly thereafter, Witness [redacted] saw a police vehicle arrive on the street. He saw the passenger door of the police vehicle open. Witness [redacted] indicated he recognized the vehicle by the lights and passenger door that distinguished it as a police vehicle.

As the police vehicle's passenger door opened, Witness [redacted] observed a male run along the sidewalk. He heard several gunshots, followed by a voice, from what he believed came from a police officer. The officer yelled, "Stop running." Shortly thereafter, Witness [redacted] heard several more gunshots. Witness [redacted] said as soon as he heard the first gunshots, he ducked his head inside his vehicle. After the gunshots, Witness [redacted] heard the group of individuals yelling. Witness [redacted] did not see the deputy who fired the shots. Witness [redacted] and his passenger remained in the vehicle until deputies ordered them to exit the vehicle.

Witness [redacted]

Homicide Interview

On October 27, 2018, Witness [redacted] was interviewed by Homicide Investigators Sergeant Gray and Detective Ruggiero. The interview was summarized in the Homicide casebook **[EXHIBIT A, Homicide Book, page 29; Homicide transcripts]**. The following is a brief summary of the Homicide interview:

Witness [redacted] and his friend [redacted] (Witness [redacted]) drove to the location to pick up Witness [redacted] at a party. Witness [redacted] parked his vehicle on Burin Avenue. Shortly thereafter, Witness [redacted] observed a police vehicle arrive. The police vehicle stopped next to a group of individuals who were on the sidewalk. Witness [redacted] distinguished the police vehicle by the side spot lights and the Sheriff emblems on the vehicle.

Witness [redacted] heard a male's voice, from what he determined, came from a police officer. The police officer yelled, "Get on the ground." Witness [redacted] saw an individual run southbound along the west sidewalk, toward Lennox Boulevard. Witness [redacted] informed investigators he heard five to six gunshots. Upon hearing the gunshots, Witness [redacted] placed the passenger's seat back to hide from being fired

upon. Witnesses [redacted] and [redacted] remained in the vehicle until they were located and identified by deputies.

SUSPECT STATEMENTS

Suspect Alvaro Jimenez

On October 27, 2018, Homicide Investigators Sergeant Gray and Detective Ruggiero attempted to interview Suspect Jimenez at Harbor UCLA Medical Center. Suspect Jimenez refused to provide a statement to investigators. On October 31, 2018, Detective Ruggiero contacted Suspect Jimenez at Harbor UCLA Medical Center, to serve Suspect Jimenez with a DNA search warrant. Both contacts were audio recorded, however the interviews were not transcribed **[Suspect Jimenez' Homicide Interviews]**.

ADDITIONAL INFORMATION

Homicide investigators interviewed ten individuals at the scene. The interviews were summarized by Homicide investigators in their report **[Homicide Book, pages 39-48]**. The ten individuals were in the area, but did not witness the deputy involved shooting.

On August 5, 2021, IAB Investigators sent a certified letter to Witness [redacted] to request an interview regarding the incident. At the completion of this shooting review, Witness [redacted] had not responded to IAB Investigators. Photocopies of the certified letter receipts were submitted in the case **[Miscellaneous Documents]**.

On August 5, 2021, IAB Investigators sent a certified letter to Witness [redacted] to request an interview regarding the incident. At the completion of this shooting review, Witness [redacted] had not responded to IAB Investigators. Photocopies of the certified letter receipts were submitted in the case **[Miscellaneous Documents]**.

On March 23, 2021, IAB Investigators sent a certified letter to Suspect Jimenez to request an interview regarding the incident. Photocopies of the certified letter receipts were submitted in the case **[Miscellaneous Documents]**. On April 8, 2021, IAB Sergeant O'Donnell spoke with Attorney Brian T. Dunn representing Suspect Jimenez. Attorney Dunn told Sergeant O'Donnell he would call back to schedule an interview date. On August 3, 2021, IAB Sergeant Martinez left a message for Attorney Dunn to request an interview. On August 27, 2021, IAB Sergeant Martinez emailed and left a message for Attorney Dunn to request an interview. At the completion of this shooting review, Suspect Jimenez and Attorney Dunn had not responded to IAB Investigators.